

**IN THE DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SCOTT E. CASEY, *et al.*,
Plaintiffs,

vs.

**TOYOTA MOTOR ENGINEERING AND
MANUFACTURING NORTH AMERICA,
INC., *et al.***
Defendants.

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Civil Action No. 3:11-cv-03043-O

**PLAINTIFFS' OBJECTION TO DEFENDANTS' MOTION FOR USE OF TECHNOLOGY
AND DEMONSTRATIVE EXHIBITS**

COME NOW, Plaintiffs who make and file this *Objection to Defendants' Motion for Use of Technology and Demonstrative Exhibits* and would respectfully show as follows:

I.

On September 3, 2013, lead counsel for Defendants, Kurt Kern, conferred with the undersigned regarding Defendants' Motion for Use of Technology and Demonstrative Exhibits (hereinafter, "Motion") (Doc. 115). Mr. Kern attached a draft of the proposed Motion, and asked if, "[s]ubject to whatever substantive objections [Plaintiffs] may have regarding demonstratives," there were any "process" objections to Defendants bringing demonstrative exhibits at the time of trial. *See* email correspondence between Mr. Kern and Mr. Ayres, attached hereto as Exhibit "A." In response, Mr. Ayres replied that he was fine with the draft motion.

Defendants' Motion contained a Certificate of Conference stating that Plaintiffs were not opposed to the relief sought by Defendants. *See* Doc. 115.

Plaintiffs hereby object and wish to make clear that they are not waiving any objections they may otherwise be entitled to raise as to the admissibility of Defendants' proposed demonstrative exhibits, listed as item numbers 9, 10, and 11 in their Motion. Rather, Plaintiffs

are unopposed to Defendants' Motion seeking appropriate access to the Courtroom in the event the Court deems Defendants' proposed demonstrative exhibits admissible.

II. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully ask this Court to sustain their Objection, allow them hearing on their previously filed objections, and that the Court grant such other relief to which they may show themselves to be justly entitled.

Respectfully submitted,

AYRES LAW OFFICE, P.C.

By: /s/ Christopher S. Ayres
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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filed pleading is being served upon all counsel of record through the Court's ECF delivery system, as provided by the Local Rules at or shortly after the time and date of filing.

/s/ Christopher S. Ayres

Christopher S. Ayres